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SUBJECT: FRENCH STEP UP ANTIPIRACY EFFORTS; INTERESTED IN SHARING INFORMATION WITH U.S.

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[11.](#) (U) ACTION REQUEST AND COMMENT: See para 9.

[12.](#) (U) SUMMARY. Nine months after launching an aggressive antipiracy and counterfeiting plan (reftel), the French government is stepping up its training and coordination efforts overseas against piracy of consumer and luxury goods. By mid-2005, GOF officials say they will have close to forty new positions overseas partially or fully responsible for coordinating international anti-piracy training programs, in Asia, the Middle East, and Eastern Europe. GOF officials told Robert Stoll, USPTO Director of Enforcement, that the government has made a priority of fighting piracy and counterfeiting since 2004, though it has not yet put into place a centralized structure to better coordinate its efforts. GOF officials and private sector representatives appreciated Stoll's visit, and say they are open to sharing information and approaches with the U.S. in third countries, particularly in key countries like Poland. END SUMMARY.

[13.](#) (U) During a visit to Paris, Robert Stoll, U.S. Patent and Trademark Office (USPTO) Director of Enforcement met with French officials and representatives of the Union of Manufacturers, the main private sector association involved in antipiracy efforts. At the Ministry of Economy, Finance and Industry, he met with Elie Beauroy and Marie-Jose Semence (DGTPE, trade ministry equivalents; Philippe Kearney, Deputy Director French Customs and Sophie Meynard, IP office director, French Customs; Claudine Segelle, Fraud unit chief, Ministry of Finance; Philippe Lagauche, Police Judiciaire (prosecutor's office); Jean-Baptiste Moziconacci, Head of Assistance at INPI (National Institute of Industrial Property). At the Foreign Ministry, he met with deputy G8 coordinator Jean-Francois Chouvet. Stoll was accompanied by Trade Policy Officer.

[14.](#) (SBU) GOF officials told Stoll that the GOF would be placing 38 trained experts in anti-piracy in key embassies around the world to coordinate international IP programs and liaise with host governments. Officials are drawn from the patent office (INPI), the trade ministry (DGTPE) and customs. These detailees are in the process of being placed in Beijing, Rabat, Beirut, Bangkok and other key spots. The French work through bilateral agreements, in which joint committees supervise the activities. France has bilateral agreements with most of its interlocutors in the Middle East and Asia. The level of activity of each committee varies. For example, the activity level of the French-Russian committee is low and less effective due to the overwhelming corruption among Russian officials.

[15.](#) (U) The GOF has also been stepping up its bilateral training programs in those regions, as well as in Central and South America. Financing for this training often comes partially from the European Commission's technical assistance programs such as TACIS. The training resembles U.S. efforts in similar areas, focusing on customs enforcement and capacity building and review of intellectual property rights. The GOF is also interested in pursuing more cost-effective distance learning programs (e-learning), and appeared interested in U.S. role-playing training methods.

Organization

[16.](#) (U) The French admitted that apart from the general ministerial directive, issued at the same time of the "Sarkozy plan" (as the antipiracy plan is known) there is no centralized coordinating body at the political level. Broader priorities are determined by the CNAC (National Anti-Counterfeiting Council), which is supervised by the Minister of Industry. Other interagency groups meet on an ad hoc basis with regard to international obligations and because

of this informal structure GOF officials admitted they have no "IP czar" yet. The GOF structure is open to input from consumer groups and other "social actors", but those groups have less influence, GOF officials say, than in the U.S. The most effective argument for fighting piracy in France, say GOF officials, seems to be protecting the safety of goods, i.e. consumer protection, rather than protecting jobs.

G-8 Follow-up?

17. (U) At the Foreign Ministry, Stoll recalled the IP proposal that France had made in February 2004 in the run-up to the Sea Island G8 summit. Chouvet, who is Sous-sherpa Alain Le Roy's deputy, noted that while the French proposal from February 2004 still was valid, the UK presidency had other priorities, particularly focused on Africa (not a common priority region for fighting piracy). He did note that the UK had indeed offered to review implementation of the previous G8 recommendations for the past three years, and that IP cooperation could come up there.

Concern over Poland: "Europe's last firewall"

18. (SBU) French industry representatives told Stoll they were deeply concerned about Poland, which they regard as "Europe's last firewall". Located on the border next to Ukraine, Poland plays a key role in preventing pirate goods from entering the European Union's distribution channels. The Union des Fabricants (UIF) plays a key role in all French public/private cooperation, including luxury goods but also consumer products. The association, which represents all goods companies, works closely with the GOF to train officials and provide intelligence to foreign governments and agencies. UIF contacts noted that with poorly established distribution channels, Poland's own economy was open to criminal and counterfeiting networks, and that vulnerability could spread to Eastern and Western Europe. The UIF's director general Christine Lai said she would appreciate sharing approaches on improving training and information collection in Poland. She also expressed interest in sharing information on how to combat piracy online, both in terms of legal approaches and practical issues. Stoll explained the U.S.'s approach to fighting website piracy, and offered to share information on Poland.

19. (U) ACTION REQUEST AND COMMENT. USPTO Director Stoll's visit was well received by both the French government officials and the French private sector. After reviewing both U.S. and French initiatives on piracy, French officials agreed there was considerable common ground. Stoll offered an initial informal exchange of information with the principal French private sector industry group (UIF) on training and enforcement in Poland. Embassy believes that there is good potential for further cooperative work - particularly in third countries -- in the anti-piracy, anti-counterfeiting area. Embassy would appreciate Washington's views on possibilities for any further bilateral and EU cooperation in this area.

Leach